

## **COMPLAINT FOR DAMAGES**

Comes now the Plaintiff, DAVID GALLARDO, by and through counsel, KATHERINE S. SARKISIAN, SARKISIAN, SARKISIAN & ASSOCIATES, and for his cause of action against the Defendants, WAL-MART STORES EAST, LLC and WAL-MART STORE #1618, alleges and states:

1. That Plaintiff is a resident of Porter County, Indiana.
2. That at all times mentioned herein, the Defendant, WAL-MART STORES EAST, LLC, own, operate, and/or manage a store #1618 located at 2936 E. 79<sup>th</sup> Avenue, in the City of Merrillville, County of Lake, State of Indiana (hereinafter referred to as "Premises").
3. That on July 21, 2022 (hereinafter referred to as "Incident Date"), Plaintiff was lawfully on said premises as a business invitee of the Defendant.
4. That at all times relevant herein, the Defendant was in control, possession, and management of said Premises and had a duty to maintain the Premises in a reasonably safe condition for business invitees.
5. That on or about the Incident Date, Plaintiff was benefiting Defendant by shopping at their store when an unsafe condition existed in the store caused the Plaintiff to fall causing injury.

6. That the Defendant failed to exercise the degree of care in the management and maintenance of the Premises on the Incident Date as would have been exercised by a person of ordinary prudence under the same or similar circumstances, all of which constitute negligence.

7. That as a direct result of the carelessness and negligence of Defendant and their agents, the Plaintiff sustained serious bodily injuries, incurred substantial medical expense, and endured severe pain and emotional distress, all of which are of are likely permanent in nature and will continue.

WHEREFORE, the Plaintiff prays for judgment against the Defendants in a just and proper sum, for the costs of this action, and for all other just and proper relief in the premises.

Respectfully submitted,

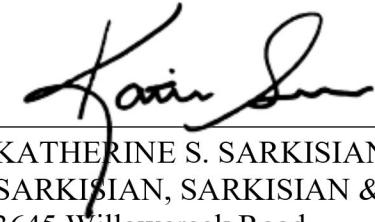


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**MOTION FOR TRIAL BY JURY**

Comes now the Plaintiff by and through counsel, of SARKISIAN, SARKISIAN & ASSOCIATES, and requests a trial by jury on all counts triable by a jury.



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